(LVIth YEAR.) THE (No. 2866.)

MARYLAND GAZETTE.

THURSDAY, SEPTEMBER 11, 1800.

FOR THE MARYLAND GAZETTE.

To the CITIZENS and FREE VOTERS of the FIFTH DISTRICT.

IT is with some reluctance I appear in print, to address you on the approaching election of president and vice-president, and I confess I feel much embarrassed in doing it, not being in the habit of communicating my sentiments in this way.

I am an advocate for the re-election of Mr. Adams as president, and feel a solicitude that you should think him deserving of your suffrages, arising from an opinion, that the happiness and welfare of our country will be best promoted by placing him in that elevated station. Many objections have been made against Mr. Adams, to induce you to think he is unworthy of your confidence, and much has been said and written to prevail on you to prefer Mr. Jefferson to him. The principal objections made against Mr. Adams, and on which a very great clamour has been excited against him, are the following: That he approved and assented to the sedition act, the alien act, and the act to raise a provisional army; and that he is the friend and advocate for monarchy. It is contended that these three acts are unconstitutional, and that Mr. Adams, by assenting to them, violated the constitution. I shall endeavour, my fellow-citizens, to convince you that the objects of these laws were just, reasonable and proper; that you have strong grounds to presume that these laws are constitutional; that powerful, if not conclusive, arguments, can be urged, to induce you to be of that opinion, and that Mr. Adams, in assenting to them, acted under the impulse of duty, without being liable to the least suspicion of acting under the influence of unworthy motives.

The sedition act, in the first section, prohibits all unlawful combinations and conspiracies with intent to oppose the measures of the government of the United States, or to impede the operation of any law of the United States, or to intimidate or prevent any person holding an office or place under the United States from undertaking, executing or performing his duty. It also prohibits all persons from advising or procuring insurrections, riots or unlawful assemblies or combinations, with intent as aforesaid, to oppose the government, &c.

This section has been favoured with the approbation of my worthy friend and competitor Mr. Duvall. Indeed every person, who is a friend to the government, to peace and good order, must assent to it, as it restrains unlawful combinations to oppose the measures of government, &c.

The second section prohibits the writing, printing, uttering or publishing, any false, scandalous and malicious writing or writings against the government of the United States, either house of congress, or the president of the United States, with intent to defame the government, &c. or to excite against them the hatred of the good people of the United States, or to bring them into contempt or disrepute; or to stir up sedition, to excite any unlawful combinations for opposing or resisting any of the laws of the United States, or any acts of the president, done in pursuance of such law, or of the powers vested in him by the constitution, or to resist, oppose or defeat, any such law, or to aid, abet or encourage, any hostile designs of any foreign nation against the United States, their people or government. The person prosecuted is allowed to give the truth of the matter in evidence on his trial.

It prohibits the defaming the government, either branch of congress, or the president, by writing and publishing *false, scandalous* and *malicious* charges against them, for the purpose of exciting the hatred of the people against them, or to bring them into contempt and disrepute. Surely my fellow-citizens will concur with me in opinion, that this prohibition is just, reasonable and proper, and that every person ought to be restrained from defaming the government, congress or the president, by false, scandalous and malicious publications, for the purpose of exciting the hatred of the people against them, and bringing them into contempt and disrepute.

This law is a terror to none but evil doers; it only restrains practices which are abhorred by every good man and friend to truth and justice, and which tend to weaken the government, by creating distrust in the constituted authorities, and destroying their just and proper influence, and frustrating the measures of administration. But it is said to be unconstitutional, because it infringes the liberty of the press. What is the liberty of the press, and in what does it consist? In the advancement of truth, science, morality, and arts in general; in the diffusion of liberal sentiments on the administration of government; its ready communication of thoughts between subjects, and its consequential promotion of union among them, whereby oppressive officers are shamed or intimidated into more honourable and just modes of conducting affairs. This liberty does not allow of the diffusion of slander and defamation against the government and its officers, to excite the hatred of the people against them, and to bring them into contempt and disrepute. The publishing false, scandalous and malicious charges against the government, or its officers, is the licentiousness of the press, and ought to be restrained; it cannot advance the truth or promote morality; it cannot diffuse liberal sentiments on the administration of government; it cannot promote union for just and honest purposes, nor can it, or ought it, to shame or intimidate officers who have been guilty of no oppression, and who have not misconducted themselves in office. The licentiousness of the press, or the publishing false, scandalous and malicious charges, is not the liberty of the press, but the abuse of it; it is a noxious and baneful shoot, that ought to be pruned or lopt off, because thereby the tree will be invigorated and produce better fruit.

The liberty of the press will be advanced and secured by restraining the licentiousness of it. The cause of truth, justice and honesty, cannot be injured by restraining persons from publishing false, scandalous and malicious charges against the government, and its officers.

Who is to decide whether a law is constitutional or not? The judiciary—It is their proper province; they are supposed to be competent to the decision of intricate and abstruse questions arising on the constitution and laws. This power and trust is confided to them by the constitution; transferred to them by the people. The judiciary has decided this law to be constitutional. The majority of the house of representatives, on full and elaborate discussion, the majority of the senate, and the president; and all these decisions made on oath; they are all sworn to support the constitution. Are you, can you be so wanting in confidence, in charity, as to suppose all these great and respectable men have concurred in opinion to violate the constitution, contrary to their solemn oath? I know you cannot. You must have a confidence in your rulers. You will suppose they act uprightly until the contrary appears. No republican government can exist without confidence in the constituted authorities. It is the basis upon which it rests. Jealousy and unjust suspicion, like the moth fretting a garment, whose ravages are unperceived while they are making, will waste and destroy it by imperceptible degrees.

Be vigilant and attentive to the conduct of the officers of government, view their conduct through the proper medium, and with candour investigate it; do not view it with a prejudiced or jaundiced eye, which converts every energetic act of government into oppression, or a violation of the constitution.

THE ALIEN LAW.

1st Section. The president is empowered to order such *aliens* to depart out of the territory of the United States as he shall deem dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government, and within such time as shall be expressed in his order.

5th Section provides for the alien's taking away his goods and chattels, and that what remains shall be subject to his order and disposal.

Is it not proper, reasonable and right, that a power should be lodged somewhere to remove aliens who are dangerous to the peace and safety of the United States, and all such as are suspected, on reasonable grounds, of being concerned in any treasonable or secret machinations against the government? And where could the power be placed with more propriety than in the president? By the law of nations, every government has the power to order aliens to depart out of its territory; and the government of every nation, according to its own regulations, issues an order for aliens to depart its territory whenever the government of such nation thinks it right and necessary, and it is always done when a war or invasion is apprehended.

An alien has no right, interest, lot or part, in our government; he has no claim to any of the immunities or privileges conferred by, or resulting from it; they belong exclusively to the citizens. An alien enemy has no rights.—An alien friend, as long as he is permitted to remain in the territory of the United States, owes a temporary allegiance to the government, and is entitled to the protection of the laws, may acquire property in goods and chattels, and is capable of taking, but not of holding, real property. But as soon as the government withdraws its consent to the alien's remaining within its territory, and issues an order for his departure, his rights as an alien friend are suspended, and cease when the time expires which is limitted for his departure.

An alien's remaining within the territory of a government is by permission and indulgence, which may be withdrawn and revoked *ad libitum*, at the will and pleasure of the government, and if the alien is allowed to take away or dispose of the property he acquired, he has no right to complain; for his remaining was an indulgence, which he knew, when he came to reside within the United States, might be withdrawn at any time, according to the law of nations. The law allows him to take away his goods and chattels.

But it is said this act is unconstitutional, and Mr. Adams has approved of it.

This law being passed by a majority of the representatives of the people, a majority of the senate, and approved by the president, and that too sanctioned by an oath to support the constitution, a fair, a reasonable presumption arises, that the law is constitutional. If we wish to preserve our government, we must have confidence in, and respect for, congress; we must have confidence in, and respect for, the constituted authorities. But the people must decide this abstruse, this difficult, this important question, upon loose and desultory arguments; a question which occupied the time of congress for days and weeks; in the discussion of which the learning, abilities and ingenuity, of the nation, were exhausted, and the final result was, that it was constitutional. And will you, my fellow-citizens, reject the opinion of the majority of congress, sanctioned by the president, and adopt the opinions of the minority, and their reasoning, which has been detailed to you in the news-papers? Certainly you will not; nothing can justify your deciding in that way. Or will you, my fellow-citizens, undertake to decide the question yourselves?

Wise, honest and impartial men differ in their construction of the constitution, with reference to the sedition and alien laws; this will induce you to think it a doubtful question, and make you hesitate in deciding the one way or the other. But the majority of congress, and the president, have determined these laws to be constitutional, and upon oath, having taken an oath to support the constitution; and the judiciary of the United States, have determined the sedition law to be constitutional.

These are certainly good, and the best grounds, for you to conclude in favour of the laws. You must and ought to have respect for the acts of congress, and the decisions of the judiciary, unless you think they are influenced by corrupt motives, and no such motives are imputed to congress, the president or the judiciary.

If these principles are just, and I think they cannot be questioned, and the objects of these laws are right and proper, you cannot hesitate one moment in saying, that you ought to presume these laws are constitutional, and the clamours excited against Mr. Adams ill founded.

What are the objects of these laws? The objects of the sedition law—to restrain persons from defaming the government, either branch of congress, and the president, by false, scandalous and malicious libels, and to prevent the confidence of the people in the government, in congress, and the president, being destroyed or diminished by false, scandalous and malicious libels; to prevent the hatred of the people being excited against them, and their being brought into disrepute; to prevent insurrections, riots and unlawful assemblies and combinations, to oppose the government. Are not these great, important and desirable objects? Ought the confidence of the people to be destroyed by these means? Certainly they ought not.

The objects of the alien law—to remove aliens who are dangerous to the peace and safety of the United States; to remove aliens who are suspected of being concerned in any treasonable or secret machinations against the government. Is it not right and proper that aliens should be removed, who, if permitted to remain among us, might, by treasonable and secret machinations, endanger the peace, safety and happiness of the United States? Certainly every American and friend to his country must assent to this.

It appears to me, that neither of these acts are unconstitutional, and I will communicate to you some of the reasons which have influence on my mind. The constitution of the United States is a government formed and established by the people.—The old government was a confederation of the states, transmitting certain specific powers to congress; these powers were defective and inefficient, congress not being empowered to lay taxes, impose duties and imposts, they could not raise money, only by requisitions made on the states, which requisitions were not strictly and punctually complied with. Hence the credit of the United States suffered and languished, and its dignity was diminished and sullied. One of the objects of the constitution of the United States was to supply that defect; to vest congress with the power to raise money without the intervention of the state legislatures, to enable them to provide for the *common defence* and promote *the general welfare.*

The preamble to the constitution discloses the grounds and motives which operated on the minds of the people, and incited them to establish it.

The preamble will serve as a key to unfold the minds of the framers, and may be resorted to when there is any ambiguity in the words, to aid in giving the just exposition; or where there is any seeming contradiction, to reconcile it.

The people, "to form a more perfect union, establish justice, insure domestic tranquillity, *provide for the common* defence, *promote the general welfare*, and secure the blessings of liberty," do ordain this constitution.

In defining the powers of congress, the legislature of the union, the words are—Congress shall have power, to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform.

The way to read the clause, to give it the true construction, is as follows:—The words, *Congress shall have power*, run through and head every article and provision of the section. The congress shall have power to lay and collect taxes, &c. The congress shall have power to provide for the common defence and general welfare of the United States.

Observe the similarity of expression *in the preamble*, and in the eighth section of the first article.

In the preamble—the people establish the constitution; for what? Among other things, *to provide for the common defence and promote the general welfare.* The words correspond; and the words in the enacting clause carry into effect the intention expressed in the preamble. Can words be more explicit and unequivocal? The very phrase and mode of expression the same. This removes all doubt, and indicates plainly an intention to cloath congress with a power to provide for the common defence and general welfare. But it is contended by some, that the operation of these general expressions is restricted by the preceding words, to wit: that the money raised by congress by taxes, &c. is to be applied to pay debts, and provide for the common defence, &c. but that cannot change the meaning; because congress cannot apply money to the common defence and general welfare, unless they have power to enact laws, take and prescribe measures, for the common defence and general welfare; so that, according to that idea, a power to apply money to the common defence and general welfare involves in it necessarily a power to take measures for the common defence and general welfare, and the money will be applied to carry such measures into effect. Again, it is said the specification of powers, which follows, restrains the generality of the expressions to provide for the common defence and general welfare. In specifying and defining powers which congress, the legislature of the union, were to possess, it would at once occur to sensible men, who were capable of forming a government, that powers of legislation might be omitted which congress ought to be vested with, and to supply such probable omission, and to guard against the evils which would result from not enumerating all the necessary powers of legislation, the words to provide for the common defence and general welfare were inserted. Would it not be an extraordinary thing, in the organization of a national government, that the legislature should not possess the power of providing for the common defence and general welfare?

If the power does not reside in congress, it cannot, does not, exist, so as to have effect. It cannot be in the state legislatures, for their respective authority does not extend beyond the limits of their several states. If it is said to remain in the people, as not being granted, it might as well not exist, because there is no mode prescribed by which the *general will* of the people of the United States can be ascertained, expressed and brought into action. The result of such reasoning must be, that there is no power in America to provide for the common defence and general welfare; which proves the fallacy of it, and will induce every rational person to reject the construction, which is founded on it, as most unwarrantable, and as leading to the worst of consequences.

It cannot be contended with any propriety, that this construction of the words will give a power to congress to legislate for the states, and to interfere with their internal police and regulations. The words common defence and general welfare restrain the exercise of such a power, and therefore it cannot be attended with any evils.

Having, as I trust, convinced every impartial, dispassionate and unprejudiced person, who is solicitous to support the constitution, provide for the common defence and promote the general welfare of the people, that there is no good cause for the clamour which has been excited against Mr. Adams, because he has approved of the sedition and alien acts, and act to raise a provisional army, I shall now endeavour to convince you that he is entitled to your suffrages, as president, in preference to Mr. Jefferson, or any other person who may aspire to fill that exalted station. I do not pretend to be acquainted with the numerous services which Mr. Adams has rendered his country since the commencement of the American revolution, and shall content myself with enumerating those which occur to me at present. Mr. Adams was a member of the first congress, and a conspicuous member in that enlightened body, and assisted in all the important business that was transacted, and rendered essential services. He has ever since devoted his time and attention to the service of his country, as a member of congress, minister to foreign courts, vice-president, and president. I am informed he was among the first who suggested the idea of the Independence of America, and was one of the principal promoters of the famous resolution of the fourth of July, 1776, which declared the American colonies *Free, Sovereign and Independent States.* It was by his agency, his sagacious and patriotic management, in conjunction with Mr. Jay, that the independence of America was secured and acknowledged, in opposition to Mr. Franklin, who was for a strict adherence to instructions, and consulting the French minister, by whose intriguing arts, and diplomatic skill, the acknowledgment of the independence of America had been retarded and delayed, and might have been prevented, had not Adams and Jay, whose magnanimity and patriotism impelled them to take every risk on themselves, determined to act without the concurrence of the French minister, and to sign the treaty. Adams and Jay secured the fisheries and Western territory.

But it is said, my fellow-citizens, John Adams is a friend to monarchy. This charge is circulated with great industry, and made use of on all occasions, to inflame your passions, and prejudice you against Mr. Adams; and to support it, Mr. Adams's defence of the American constitutions has been quoted, and detached parts selected, and his real sentiments distorted.

To disprove this charge, I refer my readers to a part of the same work, page 95, in which Mr. Adams has expressed sentiments which must be admired and approved by the most democratic republican; and candour, unless stifled by party spirit, or ill grounded prejudice, will constrain him to acknowledge, that the clamour raised against Mr. Adams, on that ground, is unjust and improper, originated in electioneering policy, and has since been adopted by the friends of Mr. Jefferson. The quotation alluded to is as follows, and appears to be the result of inquiry and consideration, upon comparing every constitution he had seen with those of the United States of America.

"After all, let us compare every constitution we have seen with "those of the United States of America, and we shall have no rea- "son to blush for our country. On the contrary, we shall feel the "strongest motives to fall upon our knees, in *gratitude to Heaven*, for "having been graciously pleased to give us birth and education in that "country, and for having destined us to live under her laws. We "shall have reason to exult, if we make our comparison with England "and the English *constitution. Our people* are undoubtedly *sovereign.* "All the landed and other property is in the hands of the citizens; "not only their representatives, but their *senators and governors*, are "annually chosen. There are no hereditary titles, honours, offices nor "distinctions. The legislative, executive and judiciary, are carefully "separated from each other. The powers of the one, the few and "the many, are nicely balanced in their legislatures. Trials by jury "are preserved in all their glory; and there is no standing army. "The habeas corpus is in full force; and the press is the most free in "the world; and when all these circumstances take place, it is un- "necessary to add, that the laws alone can govern."

Is it possible for any one, who reads these sentiments of Mr. Adams, to be of opinion that he is the friend and advocate of monarchy and privileged orders? No, my fellow-citizens, it is not possible. The very contrary is to be concluded; he is an enthusiastic admirer of the American constitutions; he is the firm friend and supporter of the rights and liberties of the people; he prefers the American constitutions to the English, because the representatives, senators and governors, *are chosen by the people*; because there are *no hereditary titles, honours and distinctions*; because the legislative, executive and judicial powers, are separated from each other; the trial by jury is preserved; the habeas corpus secured; the liberty of the press established; and because there is no standing army.

I refer my readers to the conclusion of the address of the house of representatives, in answer to the speech of Mr. Adams, in 1797, which was concurred with and approved by General Smith, as appears by the yeas and nays.

"Permit us, in offering this address, to express our satisfaction at "*your promotion* to the first office in government; and our *entire* confi- "dence that the *pre-eminent talents and patriotism*, which have placed you "in this distinguished situation, will enable you to discharge its vari- "ous duties with satisfaction to yourself, and advantage to our com- "mon country."

I also refer my readers to the conclusion of the address of the senate, in answer to the speech of Mr. Adams, in 1797. The honourable John Langdon being one of that body at the time, and present.

"We beg leave to assure you, that we derive a singular consolation "from the reflection, that at such a time, the *executive* of our govern- "ment has been *committed to your hands*; for in your *integrity, talents* "*and firmness*, we place the most *entire confidence.*"

I shall now refer my fellow-citizens to the speech of Mr. Jefferson, on assuming the office of Vice-President, contained in my hand-bill, to convince them, that in Mr. Jefferson's opinion, Mr. Adams is not the friend and advocate of monarchy, and to prove that the office of

president was justly confided to Mr. Adams, who was eminent for his talents and integrity; that the people of America had done right in preferring Mr. Adams to himself, who had been at the last election, as now, set up as the opponent of Mr. Adams; and that the happiness and prosperity of our country would be promoted by his being long preserved for the government. That Mr. Jefferson had revered the talents and integrity of Mr. Adams, through a long course of years, was well acquainted with his political opinions, and was impelled by a sense of duty, operating powerfully on his mind, to pay that tribute of respect to Mr. Adams, which his transcendant merit justly entitled him to. It was not an unmeaning compliment, dictated by courtly views, but the effusions of a mind fully impressed with the honest and patriotic designs of Mr. Adams, his exalted talents and high worth. Mr. Jefferson was well acquainted with the sentiments of Mr. Adams, and his defence of the American constitutions, and it is probable he considered it as a duty, not to be dispensed with on that important occasion, to speak of Mr. Adams's deservings, and do away the suspicions and illiberal aspersions with which his character had been defamed; and I have little doubt but a sense of justice would induce Mr. Jefferson to make a similar declaration of his sentiments if the voice of America should place him in the like situation.

In my hand-bill, my fellow-citizens, to which I refer, I requested your attention to the letter of General Washington, to satisfy you that he had approved of *all the measures* of the administration of Mr. Adams which were known to him previous to the writing of that letter, and that there could be no doubt, for the reasons assigned, that he knew of the alien law, and the law to raise a provisional army, and that consequently those laws were sanctioned with his approbation; I could not be so ignorant as to suppose the letter related to acts done by Mr. Adams subsequent to the time of writing the letter.

The words are—Believe me, Sir, no one can more cordially approve of the wise and prudent measures of your administration; they ought to inspire universal confidence.

The sense and meaning of these words are plain, and they cannot be restrained to any particular measures before recited, nor by any opinion expressed in a subsequent part of the letter; they express an unqualified, an unrestricted approbation of all the measures of administration known to him at that time.

I understand, my fellow-citizens, you have been much alarmed by an outcry which has been made by the advocates of the election of Mr. Jefferson, that a design is formed by the rich and powerful to deprive you of your right of suffrage of the elector of the president and vice-president, and that you have been amused by fables of the Horse and Stag, and the Fox and Lion, to prove that power once surrendered by the people never returns to them again. This may be amusing and pleasant, but certainly cannot convince or inform the judgments of the people. I can assure my fellow-citizens, I am incapable of forming any design or project to deprive the people of their rights and privileges, or to diminish them; and that I do believe no such design has been formed or contemplated; and I trust, twenty-five years employed in the service of my country, without growing rich or using the power they have intrusted me with, otherwise than to do equal right and justice to all without favour, affection or partiality, will induce them to respect this declaration.

I can also assure my fellow-citizens, that I have no *particular* view in the present election; that I am linked to no party, correspond with none of the great men, and that I am not personally known to Mr. Adams; that I am contented in my present office; that I have not a wish to be in a more exalted station, and am more anxious to discharge the duties of my office in such manner as to give satisfaction to my country, than to increase my wealth or power. I am solicitous, my fellow-citizens, that Mr. Adams should be elected president, because I think he is a tried, firm, decided patriot, is eminent for his talents and integrity, has rendered great and important services to his country, has magnanimity to resist the influence of party, and will pursue that line of conduct which will best support the rights and liberties of the people, the government and laws, and increase the general stock of happiness.

The question which agitates the minds of the people is, who shall be president? Mr. Adams or Mr. Jefferson. In what manner then shall the people exercise their right of suffrage? If they exercise it in one way Mr. Jefferson will be elected; if in another way, Mr. Adams will be elected. It is admitted, that in all probability the election of president will depend on Maryland. The friends of Mr. Adams, and those who are for supporting the constitution, and approve of the measures of administration, will adopt that mode which will secure the election of Mr. Adams, because that will make their right of suffrage effectual; they will then enjoy the substance of their right of suffrage, by securing the election of the man of their choice; and they will not pursue a mode by which they will give effect to the policy and machinations of Virginia, and secure the election of Mr. Jefferson, and thereby grasp a shadow, instead of retaining and enjoying the substance, of the right of suffrage.

Certainly, my fellow-citizens, you as fully and effectually enjoy and exercise your right of suffrage when you vote for four delegates, who will vote for J. T. Chase, who will vote for John Adams, as if you voted for J. T. Chase, who will vote for John Adams; and you will on this occasion prefer this mode, because by voting for an elector, through the medium of your delegates in the legislature, you secure the election of John Adams, the man of your choice, counteract the policy of Virginia, and give the state of Maryland its full weight and influence in the election of the president.

If you do not vote for delegates who will vote for Mr. Adams, the election of Mr. Jefferson in all probability will be secured, the policy and electioneering arts of Virginia will prevail, and operate in the same manner as if the people of Maryland was to transfer their right of suffrage to Virginia. I caution my fellow-citizens, who are in favour of the election of Mr. Adams, to be on their guard, and not to suffer themselves to be deluded by the suggestion that they give up their right of suffrage, unless they vote immediately for the elector. It is a flimsey veil, by which the advocates of Mr. Jefferson endeavour to conceal your real interest, and to prevent your exercising your rights in such way as to enjoy them substantially and effectually.

SEPTEMBER 2, 1800. J. T. CHASE.

VANNES, June 28.

Belle Isle is surrounded by 30 English men of war, several transports, cutters and luggers, and the communication with the continent is cut off. The English block up the mouths of the Villaine and the Loire. Several boats have come within these few days to take soundings within cannon shot of port Penthiore. A camp of ten thousand men is established in the isle of Houat and Hedic. The regiments of Welch, La Chatre, and two other emigrant regiments in English pay, have received orders to repair to their camp, as well as four regiments of light dragoons. It is this circumstance which has determined lieutenant-general Debelle to raise the camp of Ploermel, and to order the troops to Vannes. A camp is established at Conthivi, and a park of artillery at Joffelin, with a regiment of chasseurs.

VIENNA, June 21.

The states of Austria, Bohemia, and Hungary, have granted a levy of recruits for a new army, which will consist of 80,000 infantry and 20,000 cavalry; but they wish the archduke Charles would command them without limitted orders as generalissimo, and they will only fight in defence of the Austrian monarchy. A deputation from Hungary and Bohemia has been sent to the archduke at Prague, from whence he has been invited to go to Vienna. His highness is not yet gone, but some of his adjutants daily pass and repass, as couriers.

HEILBRUN, July 1.

We learn that Ulm is bombarded, and that it cannot hold out long. There are 10,000 men in garrison. Phillipsburg has 1800. The French troops have not yet penetrated thus far.

FRANCFORT, June 24.

Our Gazettes contain the following paragraphs:

"We are officially authorised to inform the public, that 30 battalions of infantry, under the command of his royal highness the archduke Charles, are collecting on the river Inn, and 10,000 Hungarian cavalry will advance with them to support the Imperial army in Germany."

The official advice (it is said in a letter from Ulm, dated the 22d) that the archduke Charles, with an entirely fresh and numerous army, will advance to the support of general Kray, within three weeks at least, it has inspired the troops with new spirits. The dispatches from the Aulic council of war, which brought this official intelligence, have been published in general orders.

July 7.

The battle which took place yesterday upon the Nidda was very smart and bloody; there were several charges with the bayonet, as well as of the cavalry. The Polonese legion made part of the French troops that attacked.

Last night the Germans quitted the line of the Nidda, and retired to the left bank of the Mein. This morning the French appeared before this city, and have established a post opposite the gate of Bokenheim.

PARIS, July 2.

The first consul arrived this morning at half past 2 o'clock. At 11 the guns fired. At noon the counsellors of state were admitted. Have you been diligent, said he, in my absence; to which they replied, we have not been so active as you, citizen consul. An hour after the etat-major and the constituted authorities paid him a visit, and in the evening there was a concert at the Thuilleries; all the streets were illuminated; the enthusiasm of the Parisians was extreme; every one believes he is sure of peace, and we can assure them this flattering allusion will soon be realized.

The answer from Vienna is not yet arrived. In the meanwhile Moreau pursues his brilliant career; and we have no doubt that if Austria does not immediately meet Buonaparte's pacific intentions, Austria, or rather its government, will be no more.

Buonaparte has determined upon the re-establishment of the university of Pavia, and nominated the professors of the various sciences.

July 3.

It is positively stated, that the first consul has written with his own hand to the emperor, a letter, as affecting as it is sincere, on the subject of peace, and that he has adopted every possible precaution that his Imperial majesty should himself receive the letter.

LONDON, July 9.

Peter Porcupine, so well known as a writer against the French, in the American news-papers, came to England in the last packet from Halifax. His real name is Cobbet.

July 16.

From Italy there is particular news.—Massena is organizing the several French armies in that country which are said to consist of no less than 160,000 men. Prince Charles, it is said, will resume the command of the army of the Danube; and it is confirmed, that 30 battalions of reserve, with 10,000 Hungarian horse, would immediately move to its relief. The corps of Conde will also be united to this body. The duke D'Angouleme took the command of the cavalry of Berrion the 25th of May. On the 13th ult. the Condean army was at Salzburg.

From the royal message delivered to parliament on Tuesday night, and the convention signed at Vienna on the 20th of June (a correct copy of which we lay before our readers) we may receive assurance that notwithstanding the late reverse experienced by the Austrian army in Italy, his Imperial majesty will listen to no propositions of peace from the French consul, without consulting the cabinet of Great-Britain. The answer sent to those transmitted to Vienna, in consequence of the victory of Maringo, is said to have been to the following effect:—"That his majesty entertains no repugnance to coming to an amicable and sincere explanation with the French government, but that he considers himself bound in honour to consult with his ally the king of Great-Britain, to whom he will transmit without loss of time, the present overtures of the chief consul, with his Imperial majesty's reply to them."

July 19.

Yesterday evening the different subsidies of foreign powers were voted in a committee of the house of commons. There was an expectation among many persons that some words might drop in the course of the debate which would serve to guide the public opinion in regard to the present conjuncture of affairs. Nothing, however, which could lead to any conclusion on the subject. Whatever may be the answer of his majesty's ministers to the court of Vienna in regard to the overtures of the first consul, it is obvious that secrecy ought to be the soul of the correspondence.

NEW-YORK, September 3.

Yesterday arrived the Liverpool packet, captain Bebee, in 48 days from Liverpool; by whom the London Gazette to the 9th July inclusive, have been received.

They contain nothing relative to our commissioners to France.

The determination of the cabinet of Vienna, on the subject of the armistice and a separate peace with France, had not yet been received. The probabilities seem to lean towards an immediate pacification between Austria and France. For besides the disastrous battle of Maringo in Italy, the Austrians have been also defeated by Moreau on the Rhine, (see his detail) The consequent advantages which it is said he has obtained, must have enabled him to open a communication with the army of Italy, by forcing the passes of the Tyrol. This critical situation must oblige the emperor to make the best terms he can with the victorious chief consul. Meanwhile his wishes seem to be, and the passionate vows of the whole French nation, with whom he is popular and evidently desires to remain so, certainly are for peace. On his return to Paris in passing through Lyons, Buonaparte exclaimed "shortly I hope, the commerce of this city, of which all Europe was once so proud, will resume its former prosperity."

The report which prevailed in London on the 5th and 6th of July, that preliminaries of peace had been concluded between France and Germany, remains unconfirmed. That such an event would take place in a few days was the general opinion. Moreau, it will be seen, has defeated Kray, and threatens the invasion of Austria. This battle, which must have been uncommonly bloody, when the Imperialists

are ſtated to have loſt 500 men in wounded only, was fought on the ſpot where the great duke of Marlborough gained ſimilar laurels in the year 1704.

It is conjectured by ſome of the London editors, that a pacification between the French republic and the houſe of Auſtria, will have a powerful effect in reſtoring the general tranquillity of Europe.

Annapolis, September 11.

By the CORPORATION of the City of Annapolis, September 4th, 1800.

ORDERED, That 200 copies of the by-law to prevent perſons from places infected with the prevailing contagious fever from coming to and remaining within the limits of this city, be immediately printed in hand-bills, and diſtributed, and that the ſame be inſerted in the Maryland Gazette.

By order, A. GOLDER, clk.

A BY-LAW to prevent perſons from places infected with the prevailing contagious fever from coming to and remaining within the limits of this city.

BE *it eſtabliſhed and ordained, by the Mayor, Recorder, Aldermen and Common Council, of the city of Annapolis, and the authority of the ſame,* That no perſon or perſons who ſhall or may come from or through the city of Baltimore, or the precincts thereof, or from the borough of Norfolk, in Virginia, ſhall, after the paſſage of this law, enter into this city, or the precincts thereof, until ſuch perſon or perſons obtain from one of the health committee, a permit in writing, to enter; and that ſuch permit ſhall ſpecify the name of the perſon, and the time he ſhall remain, not exceeding the ſpace of ten hours.

And be it eſtabliſhed and ordained, by the authority aforeſaid, That if any inhabitant or inhabitants of this city, or the precincts thereof, ſhall, after the paſſage of this law, receive any perſon or perſons coming from any of the infected places aforeſaid, without a permit as aforeſaid, ſuch inhabitant or inhabitants ſhall, for each perſon received as aforeſaid, forfeit and pay the ſum of three pounds ſix ſhillings and eightpence current money, and the like ſum for every hour ſuch perſon or perſons ſhall remain in his, her or their houſe.

And be it eſtabliſhed and ordained, by the authority aforeſaid, That if any inhabitant or inhabitants aforeſaid ſhall permit any perſon or perſons to remain in his, her or their houſe for the ſpace of one hour after the expiration of the time ſpecified in the permit, ſuch inhabitant or inhabitants, for each perſon, ſhall forfeit and pay the ſum of three pounds ſix ſhillings and eightpence current money, and the like ſum for every hour ſuch perſon or perſons ſhall remain as aforeſaid.

Provided, That nothing herein contained ſhall prohibit any perſon or perſons who ſhall or may have been abſent from the ſaid places for the ſpace of ten days, and in good health, to enter this city.

And be it eſtabliſhed and ordained, by the authority aforeſaid, That inſtead of the health committee heretofore appointed, John Davidſon, Allen Quynn, James Williams, John Randall, James Mackubin, Frederick Grammar, Jonathan Pinkney, William Alexander, Archibald Golder, Vachel Stevens, William Brown, jun. John Brice and Francis Mary de Lalandelle, be and they are hereby conſtituted and appointed a committee of health.

And be it eſtabliſhed and ordained, by the authority aforeſaid, That all fines and forfeitures accruing under this act may be recovered by preſentment or indictment, or before the mayor, recorder, or any one alderman, in a ſummary way, one half to be applied to the informer, the other half to the uſe of the corporation.

September 4, 1800: Read the firſt and ſecond time and aſſented to.

By order,

A. GOLDER, Clk.

Proclaimed. THOMAS W. HEWLTT, Sheriff.

A continuation of Mr. Duvall's Addreſs will appear after his return from the Eaſtern Shore general court.

To be LET,

THAT well known farm, lying and being in Anne-Arundel county, oppoſite to Annapolis, called GREENBURY'S POINT, containing in the clear land about 350 acres, with the privilege of ſowing 170 or 180 buſhels of wheat immediately, and to have full poſſeſſion the firſt day of January next. Any perſon inclining to rent may know the terms by applying to the ſubſcriber, now in Annapolis.

WILLIAM S. BISHOP.

September 10, 1800.

THE ſubſcriber hereby gives notice, that he intends to petition the next general aſſembly of Maryland, for an act of inſolvency to releaſe him from debts which he is entirely unable to pay.

LEVI BUTLER.

Charles county, September 1, 1800.

THE ſubſcriber is extremely ſorry that he is under the diſagreeable neceſſity of giving this public notice to his creditors, that through a number of misfortunes and loſſes in trade, finds himſelf unable to diſcharge his debts at this time, and being willing to give up his property for the uſe of his creditors, means to petition the general aſſembly of Maryland for relief.

JOHN GROVES.

Anne-Arundel county, August 28, 1800.

I MEAN to petition the next general aſſembly of Maryland to releaſe me from debts I am unable to pay.

THOMAS KING.

September 6, 1800.

By virtue of a writ of *fieri facias*, to me directed from the general court, will be SOLD, on Saturday the 25th day of October next, on the premiſes,

A TRACT or parcel of LAND, known by the name of BEANS AND BACON, containing five hundred and ſeventy-five acres, more or leſs; the above property is taken as the property of SAMUEL HAMBLETON, terre-tenant of JOHN HEPBURN, to ſatisfy a debt due NATHAN LEVY, for the uſe of JOHN DAWSON. The ſale will commence at one o'clock, for ready MONEY only.

JOHN WELCH, Sheriff of Anne-Aruudel county.

September 10, 1800.

Agreeable to an act, entitled, An act for the relief of inſolvent debtors, and agreeable to a ſchedule given in by WILLIAM FRENCH, an inſolvent debtor, for the benefit of his creditors, will be SOLD, at the late dwelling-houſe of the ſaid William French, on the 18th day of October next,

A TRACT or parcel of LAND, known by the name of WADE'S INCREASE, containing 75 acres, more or leſs, and one negro man named BRISTER, for ready CASH. The ſale will commence at 12 o'clock.

JOHN WELCH, Truſtee, agreeable to the aforeſaid act of aſſembly.

September 10, 1800.

THE ſubſcriber takes the liberty to inform his friends and cuſtomers in Annapolis, that he intends to follow his buſineſs of carving and gilding in oil and burniſh gold (as he intends to ſtay here ſome time), old looking-glaſs and picture frames re-gilt and made equal to new; as this will be a great ſaving of riſk and expence to the citizens in not having to ſend their goods to Baltimore, he therefore hopes for encouragement. Any orders left with Mr. Shaw will be thankfully received, and carefully attended to, by

The public's obedient ſervant,

GEORGE SMITH,

Who has for SALE,

A few looking-glaſs plates, and picture glaſs of a large ſize, and ſome fit for carriages; alſo ſome fine prints of WASHINGTON, engraved by Heath, of London, in elegant frames, portraits of Adams, Jefferſon, M'Kean, and numbers of others. Apply to Mr. SHAW.

Annapolis, September 8, 1800.

THIS is to give notice, that the ſubſcriber hath obtained from the orphans court of Charles county, in Maryland, letters teſtamentary on the perſonal eſtate of JOSEPH NEALE, late of ſaid county, deceaſed, all perſons having claims againſt the ſaid deceaſed, are hereby warned to exhibit the ſame, with the vouchers thereof, February next, they may otherwiſe by law be excluded from all benefit of ſaid eſtate. Given under my hand this 12th day of Auguſt, 1800.

JOHN NEALE, Executor.

THE creditors of THOMAS WOODWARD, deceaſed, late of Prince-George's county, are hereby requeſted to meet at SAMUEL TYLER'S, on the third day of October, with their accounts legally authenticated, in order to receive a dividend of the aſſets in hand, and thoſe indebted to the deceaſed's eſtate are requeſted to make payment, on or before the third day of October, to

MARGARET WOODWARD, Admx.

September 6, 1800.

NOTICE is hereby given, that a number of inhabitants of Anne-Arundel county intend to preſer a petition to the next general aſſembly, praying for a law to authoriſe and appoint certain commiſſioners to ſtreighten, amend, and eſtabliſh the road leading from the north ſide of Severn ferry to Patapſco lower ferry.

September 8, 1800.

FROM a variety of misfortunes in trade and otherwiſe, the ſubſcriber is reduced to the diſagreeable neceſſity of petitioning the next general aſſembly of Maryland, for an act to releaſe him from the payment of debts that he is unable to pay.

ALEXANDER S. SMOOT.

Auguſt 20, 1800.

By virtue of a writ of *venditioni exponas*, to me directed from Anne-Arundel county court, will be SOLD, on Saturday the 13th inſtant, at the houſe of JONATHAN BEARD,

TWO NEGROES, and two horſes, for ready CASH; the above property is taken as the property of JONATHAN BEARD, to ſatisfy a debt due RICHARD MACKUBIN, and for officers fees for the years 1798 and 1799. The ſale will commence at 12 o'clock.

JOHN WELCH, Sheriff of Anne-Arundel county.

September 3, 1800.

IN conformity to the cuſtom and uſages of the legiſlature of Maryland, by advertiſement, I do hereby give notice, that I mean to prefer a petition to the honourable the legiſlature of Maryland, at their enſuing ſeſſion, to obtain an act of aſſembly divorcing me from Elizabeth Berry, to whom I was married according to the rites of the church of England.

WILLIAM E. BERRY.

Prince-George's county, September 1, 1800.

NOTICE.

I HEREBY intend to petition the legiſlature of Maryland for an act of inſolvency, at the meeting of the next general aſſembly.

BARTON WATHEN, of Charles county.

In CHANCERY, Auguſt 28, 1800.

RICHARD PONSONBY,

An inſolvent of Prince-George's county,

MAKES application as a trader, by petition to the chancellor, in writing, praying the benefit of an act for the relief of ſundry inſolvent debtors, there is annexed to his petition a ſchedule of his property, and a liſt of his creditors, on oath, as by the ſaid act is required, the chancellor is ſatisfied, by competent teſtimony, that he is at this time, and was, at the time of paſſing that act, a citizen of this State, and of the United States; it is thereupon adjudged and ordered, that he appear before the chancellor, in the chancery office, on the nineteenth day of March next, for the purpoſe of taking the oath by the ſaid act required, in preſence of his creditors, and that, by cauſing a copy of this order to be inſerted, once in each of three ſucceſſive weeks, before the nineteenth day of September next, he give notice to his creditors to attend on the ſaid nineteenth day of March next, for the purpoſe of recommending a truſtee for their benefit, and to lodge with the chancellor, within ſix months from the time of the laſt publication, (if they ſhall think fit) their diſſent to his being admitted to the benfit of the ſaid act.

Teſt. SAMUEL H. HOWARD,
Reg. Cur. Can.

In CHANCERY, Auguſt 28, 1800.

JOHN TILLEY,

An inſolvent debtor of Prince George's county,

MAKES application as a trader, by petition to the chancellor, in writing, praying the benefit of an act for the relief of ſundry inſolvent debtors, there is annexed to his petition a ſchedule of his property, and a liſt of his creditors, on oath, as by the ſaid act is required, the chancellor is ſatisfied, by competent teſtimony, that he is at this time, and was, at the time of paſſing that act, a citizen of this State, and of the United States; it is thereupon adjudged and ordered, that he appear before the chancellor, in the chancery office, on the nineteenth day of March next, for the purpoſe of taking the oath by the ſaid act required, in preſence of his creditors, and that, by cauſing a copy of this order to be inſerted three times in the Maryland Gazette before the nineteenth day of September next, he give notice to his creditors to attend on the ſaid nineteenth day of March next, for the purpoſe of recommending a truſtee for their benefit, and to lodge with the chancellor, within ſix months from the time of the laſt publication, (if they ſhall think fit, their diſſent to his being admitted to the benefit of the ſaid act.

Teſt. SAMUEL H. HOWARD,
Reg. Cur. Can.

In CHANCERY, Auguſt 28, 1800.

DAVID ROSS,

An inſolvent of Prince-George's county,

MAKES application as a trader, by petition, in writing, praying the benefit of an act for the relief of ſundry inſolvent debtors, there is annexed to his petition a ſchedule of his property, and a liſt of his creditors, on oath, as by the ſaid act is required, the chancellor is ſatisfied, by competent teſtimony, that he is at this time, and was, at the time of paſſing that act, a citizen of this State, and of the United States; it is thereupon adjudged and ordered, that he appear before the chancellor, in the chancery office, on the nineteenth day of March next, for the purpoſe of taking the oath by the ſaid act required, in preſence of his creditors, and that, by cauſing a copy of this order to be inſerted in the Maryland Gazette, once in each of three ſucceſſive weeks, before the nineteenth day of September next, for the purpoſe of recommending a truſtee for their benefit, and to lodge with the chancellor, within ſix months from the time of the laſt publication, (if they ſhall think fit) their diſſent to his being admitted to the benefit of the ſaid act.

Teſt. SAMUEL H. HOWARD,
Reg. Cur. Can.

In CHANCERY, Auguſt 28, 1800.

HORATIO ROSS,

An inſolvent of Prince-George's county,

MAKES application as a trader, by petition to the chancellor, in writing, praying the benefit of an act for the relief of ſundry inſolvent debtors, there is annexed to his petition a ſchedule of his property, and a liſt of his creditors, on oath, as by the ſaid act is required, the chancellor is ſatisfied, by competent teſtimony, that he is at this time, and was, at the time of paſſing that act, a citizen of this State, and of the United States; it is thereupon adjudged and ordered, that he appear before the chancellor, in the chancery office, on the nineteenth day of March next, for the purpoſe of taking the oath by the ſaid act required, in preſence of his creditors, and that, by cauſing a copy of this order to be inſerted, once in each of three ſucceſſive weeks, before the nineteenth day of September next, in the Maryland Gazette, he give notice to his creditors to attend on the ſaid nineteenth day of March next, for the purpoſe of recommending a truſtee for their benefit, and to lodge with the chancellor, within ſix months from the time of the laſt publication, (if they ſhall think fit) their diſſent to his being admitted to the benefit of the ſaid act.

Teſt. SAMUEL H. HOWARD,
Reg. Cur. Can.

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